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CONCORD, N.H.

Mr. Adelard E. Cote, Commissioner
Department of Labor
Star Building
Pleasant Street
Concord, New Hampshire

Dear Sir:

You have requested the opinion of this office as to whose responsibility it is to determine the reasonableness of medical, hospital and other remedial care to an injured employee under the provisions of RSA 281:21.

The Legislature has directed that the employer shall furnish to an injured employee, or cause to be furnished, free of charge, reasonable medical and hospital services or other remedial care when needed. There is nothing in the statute to require the Commissioner of Labor to determine the reasonableness of the charges made for such care. It is therefore my opinion that the employer must seek relief from excessive charges by applying to the court under section 43 of the said chapter 281.

Very truly yours,

Arthur E. Bean, Jr.
Assistant Attorney General

AEB,Jr/T